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Technology Center 2100

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In re Application of:
Javier F. Delgado et al
Appl. No.: 10/667688
Filed: September 22, 2003
Docket No: MS302387.1/6001.268US01
For: METHOD AND SYSTEM FOR DISTRIBUTING AND
INSTALLING SOFTWARE

DECISION ON PETITION
UNDER 37 CFR § 1.59

This is a decision on a petition under 37 CFR § 1.59(b), filed on October 22, 2007 to expunge information submitted pursuant to MPEP § 724.05.

The petition is **GRANTED**.

Petitioner requests that the Information Disclosure Statement filed October 22, 2007, be expunged from the record. Petitioner states that either (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(g) has been paid.

As noted in MPEP 724.04:

With the mailing of the notice of abandonment, if a petition to expunge has been filed, irrespective of whether the materials are found to be material to patentability, the petition to expunge will be granted and the materials expunged

A decision dismissing the petition as premature was mailed on December 21, 2007. However, no final decision accompanied the Notice of Abandonment mailed July 14, 2008. Therefore, this decision is now being mailed to complete the record.

It should be noted that no determination of materiality has been made regarding the submitted material and that the IDS has not been made available to the public by the Office.

Applicant is required to retain the expunged material(s) for the life of any patent which issues on the above-identified application.

The expunged material has been removed from the official file.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3591

/Gail Hayes/
Gail Hayes, SPRE/QAS
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Information Security



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,688	09/22/2003	Javier F. Delgado	MS302387.1/6001.268US01	9384
7590 09/23/2009 Homer Knearl Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903			EXAMINER KANG, INSUN	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.